

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MICHAEL GREEN (06-R-1376),

Plaintiff,

v.

JOHN COLVIN,

Defendant.

DECISION AND
ORDER
12-CV-606(A)(M)

The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B). On June 17, 2014, Magistrate Judge McCarthy filed a Report and Recommendation (Dkt. 28), recommending that the defendant's motion to dismiss for failure to prosecute (Dkt. 24) be granted. A copy of the Report and Recommendation was mailed to the plaintiff at the address that he had provided to the Court, but was returned marked as "undeliverable." As noted in the Report and Recommendation, pursuant to Local Rule 5.2(d), the plaintiff is required to advise the Court of a current address at which papers may be served on him. Failure to do so may result in dismissal of the case, with prejudice.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties. No objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, and in light of the

plaintiff's failure to provide a current mailing address, the defendant's motion to dismiss for failure to prosecute (Dkt. 24) is granted.

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

_____*Richard J. Arcara*_____
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: July 28, 2014